


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:09-CR-292-1H  
No. 5:11-CV-727-H

DEREK LOUIS GRIFFIS,	)	
	)	
Petitioner,	)	
	)	ORDER
v.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

Having conducted an examination of petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings and it appearing that dismissal is not warranted at this time, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty-five (45)** days of the filing of this order.

This 19th day of December 2011.

  
MALCOLM J. HOWARD  
Senior U.S. District Judge